



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Vernal District Office
170 South 500 East
Vernal, Utah 84078

Phone (801) 789-1362

W. Wayne Halliday 5/047/051
TAKE
PRIDE IN
AMERICA

IN REPLY REFER TO:

3809.3-2(b)(1)
U-66366
(UT084)

FAX (801) 781-4410

DEC 9 1993

RECEIVED

DEC 10 1993

DIVISION OF
OIL, GAS & MINING

CERTIFIED MAIL
Return Receipt Requested
No. P 755 844 058

DECISION

Mr. Dale Stevens : Operations under surface management
P.O. Box 1343 : case U-66366; T3S, R21E, Sec. 29,
Vernal, UT 84078 : NW1/4NW1/4 (SLB&M)

Notice of Noncompliance Rescinded

On September 3, 1993, you met with Peter Sokolosky and D.J. Beaupeurt-Schantz of this office to express your intentions to continue excavation operations on a shaft located in T.3 S., R.21 E., Sec. 29, NW1/4NW1/4 (SLB&M). With Pete and D.J.'s assistance, you posted an amended notice to conduct further excavation of the shaft. The shaft location was marked on a map which was attached to the notice.

This letter formally rescinds the Notice of Noncompliance dated November 27, 1991 (Certified Mail P 125 313 420).

Under Bureau of Land Management regulations, the operations at the shaft area shall be inspected twice each year to assure that you are complying with your notice and with the 43 CFR 3809 regulations (copy which was given to you by Pete and D.J. on September 3, 1993).

If you have any questions, please contact D.J. Beaupeurt-Schantz or Peter Sokolosky at this office (telephone 789-1362).

Howard Cleavinger
Assistant District Manager for Minerals
Vernal District

cc: U-921 Terry McParland
Lowell Braxton, Utah Div. of Oil, Gas & Mining
Noncertified copies to Mr. Stevens
1 - P.O. Box 1343, Vernal, Utah
1 - 100 North 358 West, Vernal, Utah

DOGM
MINERALS PROGRAM
FILE COPY



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Vernal District Office
170 South 500 East
Vernal, Utah 84078

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IN REPLY REFER TO:

3809.3
UT086
U66366

DEC 9 1993

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DEC 10 1993

DIVISION OF
OIL, GAS & MINING

CERTIFIED MAIL
Return Receipt Requested
No. 755 884 057

Dale Stevens
P. O. Box 1343
Vernal, Utah 84078

Re: Operations Under Surface Management
Case U-66366
NWNW, Sec. 29, T3S, R21E (SLB&M)
Uintah County, Utah

Dear Mr. Stevens:

This is to confirm the September 3, 1993, amendments to your original notice of intent filed September 29, 1989.

On September 3, 1993, you met with Peter Sokolosky and D.J. Beaupeurt-Schantz of this office to discuss the proposed continued operations on the above-mentioned notice. At that time, you signed an amendment to the October 26, 1989, notice stipulating the following:

1. In order to prevent unnecessary and undue degradation and to avoid safety hazards, you will keep the existing shaft enclosed by fencing around the open shaft area during times of inactivity.
2. When operations are complete, you will fill the shaft with materials from above the shaft location and remove all materials used in the mining operations.
3. You plan to continue with excavation of the shaft by extending the area three (3) feet laterally and three (3) feet vertically. Operations will continue until this excavation has been completed.
4. Access will be by an existing trail to the northwest of the area.
5. Activities for future excavations will be conducted under a new notice or an amendment to this notice.

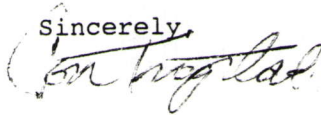
As a reminder, the following items are already in force under the October 1989 notice (copy enclosed), per the 43 CFR 3809 Regulations:

6. All surface disturbances are to be reclaimed prior to beginning any work under a new notice. This includes restoring the area to its natural condition by recontouring and reseeding. (43 CFR 3809.1-3(d)(3) & (4)).
7. Any archaeological resources discovered are to be left undisturbed and reported immediately to BLM personnel. (43 CFR 3809.2-2(e)).
8. Under 43 CFR 3809.2-2, you may be required to provide other agencies with information concerning your operations (see enclosed listing).

Per 43 CFR 3809.3-6, the operator shall allow access by the authorized officer for periodic inspection of the mining area. An inspection of this site is performed by BLM personnel no less than twice annually.

If you should have any questions regarding this matter, please feel free to contact D. J. Beaupeurt-Schantz at (801) 789-1362.

Sincerely,



Ron Trogstad
Area Manager
Diamond Mountain Resource Area

2 Enclosures

1. Copy of 1989 Notice Acceptance
2. Listing of Regulatory Agencies

cc: Terry McParland (U-921)
Lowell Braxton, DOGM

3809
(UT086)
UMC-284167

October 16, 1989

Certified Mail
Return Receipt Requested
P 125 313 214

Mr. Dale Stevens
Box 1343
Vernal, UT 84078

Dear Mr. Stevens:

Attached you will find a list of Standard Operating Procedures and Stipulations which you should conform to during your development upon your Rainbow No. 1 claim.

Failure to conform to these procedures may be found to constitute Undue and Unnecessary degradation of surface resources which may ultimately lead to a finding of non-compliance. An established record of non-compliance would require bonding on future operations.

If you have any questions regarding this please call Mr. David Plume here at (801) 789-1362.

Sincerely,

Ronald S. Trogstad
Ronald S. Trogstad

Enclosure

DPlume:plp

PS Form 3800, June 1985

SENDER
3 and 4.
Put your add.
card from back
to and the date
for fees and c
1. ☐ Show

3. Article Add.

Mr. Dale
Box 1343
Vernal,

5. Signature -

6. Signature

7. Date of Delivery



Mr. Dale Stevens
Box 1343
Vernal, UT 84078

P 125 313 214

10/20/89

6.) Wildlife

The operator is responsible to conduct operations in a manner which conforms to The Threatened and Endangered Species Act.

7.) Notification of Reclamation

The operator will notify the BLM when reclamation is complete.

8.) Yearly Mining Update

If mining operations continue for more than one year, the operator should contact the BLM on the anniversary of the Notice of Intent.



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Phone (801) 789-1362

FAX (801) 789-3634

Under 43 CFR 3809.2-2, operators must comply with all pertinent federal and state laws. To meet the requirements of these laws, permits must be obtained prior to commencement of operations, including most casual-use size operations. Following is a two page list of regulatory agencies you may wish to contact. Failure to obtain appropriate permits may result in the appropriate agency issuing citations. Additionally, the Bureau of Land Management (BLM) may issue the operator a Notice of Noncompliance if appropriate actions are not taken.

I. STATE OF UTAH

A. Department of Natural Resources

1. **Division of Oil, Gas and Mining**
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, UT 84180-1203
Telephone: (801) 538-5340

A Notice of Intent form must be submitted prior to mining or exploration on any lands within the State of Utah, including mining claims or sites on BLM-administered lands. Proposals to disturb more than five (5) acres require the submittal of a detailed plan (LMO) and the posting of a reclamation bond. Sections of the Green and Colorado Rivers are State of Utah lands and the Division of State Lands and Forestry has mineral leasing jurisdiction.

2. **Division of Water Rights** (Local): State/County Building
1636 West North Temple, Room 220 100 North 152 East
Salt Lake City, Utah 84116 Vernal, Utah 84078
Telephone: (801) 538-7408 801-781-0770, ext. 327

A permit is required for the building of water impounding structures, stream alterations (see: Army Corps of Engineers), and the drilling of water wells. Necessary water rights must be obtained.

B. Department of Environmental Quality (enforces most EPA regulations)

1. **Division of Water Quality**
288 North 1460 West
Salt Lake City, Utah 84116
Telephone: (801) 538-6146

Approval from the Division is required any time there is potential for the pollution or degradation of ground and/or surface water. This includes approvals for heap leaches, mine, or process water discharge, and the construction of sedimentation, evaporation, and tailings ponds. The Division can provide groundwater permits, UPDES permits, and construction permits.

2. **Division of Air Quality**
1950 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 536-4000

An Air Quality Approval Order is required for large mining operations (more than five (5) acres).

3. **Division of Drinking Water**
288 North 1460 West
Salt Lake City, Utah 84116
Telephone: (801) 538-6159

A public water supply permit is required when drinking water is to be provided to twenty-five (25) or more employees. Permits for septic systems, leach fields, sanitary landfills, etc., are usually obtained through the local Department of Environmental Quality.

4. **Division of Environmental Response & Remediation**
1950 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 536-4100

A permit with this Division is required if you have underground storage tanks.

5. **Division of Radiation Control**
288 North 1460 West
Salt Lake City, Utah 84116
Telephone: (801) 538-6734

Any operation proposing to utilize radioactive material must obtain a permit or license from this Division.

6. **Division of Solid and Hazardous Waste**
288 North 1460 West
Salt Lake City, Utah 84116
Telephone: (801) 538-6170

Operators who propose to use, generate, and/or dispose of wastes which are hazardous or toxic must contact this Division for permitting requirements. Accidental release of hazardous or toxic materials into the environment requires immediate notification of this Division and the local BLM office.

II. UNITED STATES GOVERNMENT

- A. **Department of Labor**
Mine Safety and Health Administration
1745 West 1700 South, Suite 2040
Salt Lake City, Utah 84104
Telephone: (801) 524-5385

Notice must be given prior to any mine start-up or mine shutdown. Operator(s) must comply with MSHA regulations. Surface mines, including placer operations, and underground mines are regulated by MSHA.

- B. **Department of Army**
Corps of Engineers
Regulatory Office
125 South State Street
Salt Lake City, Utah 84111
Telephone: (801) 524-6015

A Section 10 permit is required for any mining on or near navigable water ways. This includes sections of the Colorado and Green Rivers. A 404 permit is required for the discharge of dredged or fill material into any body of water (lakes, streams, creeks, rivers, etc.) or wetlands area. Operators who plan to operate near any body of water or even intermittent drainages should contact the Corps of Engineers.